LIBRARY
SUPREME COURT, U. S.

Office-Supreme Court, U.S.
FILED
NOV 23 1966
JOHN F. DAVIS, CLERK

In The

SUPREME COURT of the UNITED STATES

October Term, 1966

No. 659

STATE OF WISCONSIN,

Petitioner,

v.

MILWAUKEE BRAVES, INC., ET AL.,

Respondents.

REPLY BRIEF FOR PETITIONER

Room 114 East
State Capitol
Madison, Wisconsin

BRONSON C. LA FOLLETTE
Attorney General for the
State of Wisconsin
Counsel for Petitioner
ARLEN CHRISTENSON
Deputy Attorney General
GEORGE F. SIEKER
Assistant Attorney General

Room 207
Courthouse
Milwaukee, Wisconsin

ROBERT P. RUSSELL
Corporation Counsel
Milwaukee County

Stafford, Rosenbaum,
Rieser & Hansen
204 South Hamilton Street
Madison, Wisconsin

WILLARD S. STAFFORD
Special Counsel for the
State of Wisconsin

Foley, Sammond & Lardner
735 North Water Street
Milwaukee, Wisconsin

STEVEN E. KEANE
JOHN P. EPPEL
Of Counsel for Milwaukee County
Special Assistant Corporation Counsel

LLOYD N. CUTLER
LOUIS F. OBERDORFER
MAX O. TRUITT, JR.
TIMOTHY B. DYK

Wilmer, Cutler & Pickering
900 17th Street, N.W.
Washington, D. C.

Special Counsel for the
State of Wisconsin

INDEX

PAGE

1. No Pre-emption By Congressional Inaction 2
2. No Congressional Intent To Displace State Law 3
3. No Potential Conflict 7
4. *Southern Pacific Co. v. Arizona* Is Not Relevant 9
5. No Discrimination 11
6. This Case Is Important ..... 1[illegible]

CITATIONS

CASES:

American League Baseball Club v. Chase, 86 Misc. 441, 149 N. Y. Supp. 6 (Sup. Ct., 1914) 5, 6, 7

American League Baseball Club v. Pasquel, 187 Misc. 230, 63 N. Y. S. 2d 537, 188 Misc. 102, 66 N. Y. S. 2d 743 (Sup. Ct., 1946) 5, 6

Bibb v. Navajo Freight Lines, 359 U. S. 520 (1959) 9

Blake v. Frick, 20 Misc. 2d 520, 191 N. Y. S. 2d 177 (Sup. Ct. 1959), appeal dismissed, 9 App. Div. 2d 893, 199 N. Y. S. 2d 396 (1959) 6

Colorado Anti-Discrimination Commission v. Continental Air Lines, Inc., 372 U. S. 714 (1963) 8

PAGE

Edwards v. California, 314 U. S. 160 (1941) 8, 9

Federal Baseball Club of Baltimore v. National League, 259 U. S. 200 (1922) 4

F. T. C. v. Dean Foods Co., 384 U. S. 597 (1966) 3

Florida Lime & Avocado Growers, Inc. v. Paul, 373 U. S. 132 (1962) 10

Graves v. N. Y. ex rel. O'Keefe, 306 U. S. 466 (1939) 9

Hall v. DeCuir, 95 U. S. 485 (1877) 8, 9

Head v. New Mexico Board, 374 U. S. 424 (1963) 8

Huron Portland Cement Co. v. City of Detroit, 362 U. S. 440 (1960) 8

Leisy v. Hardin, 135 U. S. 100 (1890) 9

Minnesota Rate Cases, 230 U. S. 352 (1913) 9

Missouri ex rel. Barrett v. Kansas Natural Gas Co., 265 U. S. 298 (1924) 9

Morgan v. Virginia, 328 U. S. 373 (1946) 9

Panhandle Eastern Pipe Line Co. v. Public Service Commission, 332 U. S. 507 (1947) 8

South Covington Ry v. Covington, 235 U. S. 537 (1915) 8

PAGE

Southern Pacific Co. v. Arizona, 325 U. S. 761 (1945) 8, 9, 10, 11

Toolson v. New York Yankees, Inc., 346 U. S. 356 (1953) 4

Welton v. Missouri, 91 U. S. 275 (1875) 9

CONSTITUTIONAL PROVISIONS:

Commerce Clause, U. S. Const., art. I, sec. 8, clause 3 ..... 1; 3, 7

Supremacy Clause, U. S. Const., art. VI, clause 3 ..... 1, 2, 3

STATUTES:

Interstate Commerce Act, 54 Stat. 899 (1940) 3, 10

80 Stat. 1508 § 6 (1966) 7

MISCELLANEOUS:

H. R. Rep. No. 2002, 82nd Cong., 2d Sess. (1952) 6, 7

Pollak, "The Constitution and The Supreme Court" 3

In The

SUPREME COURT of the UNITED STATES

October Term, 1966

No. 659

STATE OF WISCONSIN,

Petitioner,

v.

MILWAUKEE BRAVES, INC., ET AL.,

Respondents.

REPLY BRIEF FOR PETITIONER

The court below has held that the Supremacy and Commerce Clauses of the United States Constitution render a state powerless to prevent or redress organized baseball's violation of its antitrust laws. Respondents do not here dispute that under "conventional antitrust principles" (Opposition 9)[1] they have violated Wisconsin's antitrust laws. Instead, they assert, as the court below held, that the State cannot entertain any complaint, render any judgment, or provide any remedy which would prevent or cure the violation.

The important constitutional questions raised by the decision below come to this Court unencumbered by dis-

---

[1]Hereinafter cited as "Opp."

pute about the material facts. Respondents' Opposition does not dispute that the applicants for an expansion franchise in Milwaukee (the Brewers and the County) are qualified; or that, because organized baseball has a monopoly of the baseball business, those applicants cannot enter it unless they are awarded a franchise by the National or American Leagues. And, while respondents continue to complain about expansion, and assert that the Braves were justified in moving to Atlanta (Opp. 7-8, 19), the Trial Court found, on a full record, that expansion is in fact feasible and that Milwaukee can support a major league team. The attendance history of the Braves in Milwaukee and final standing is compared with that of all other major league teams in a table printed in an Appendix hereto.

Furthermore, respondents have failed to show either that the decision below is correct or that the questions presented do not warrant review.

1. *No Pre-emption by Congressional Inaction.* The Opposition does not even mention the Supremacy Clause, and respondents now attempt to disown the Supremacy Clause holding of the Wisconsin Supreme Court. They concede that federal pre-emption of state law operates only in "situations where a pervasive Congressional statutory scheme of regulation precludes local regulation of the same subject." They attempt to avoid the Supremacy Clause ground of the decision below by a semantic argument that this "case does not involve preemption." (Opp. 23). But the Wisconsin Supreme Court's invocation of the Supremacy Clause—the very foundation of the pre-emption doctrine—necessarily invoked pre-emption. Even if respondents no longer support the Supremacy Clause theory of the court

below, it remains in the stream of precedent and requires consideration and reversal by this Court.

Furthermore, while respondents now found their "national policy" argument on the Commerce Clause, Congressional policy, under both the Supremacy and Commerce Clauses, is manifested only through relevant acts of Congress, and there is no statute here displacing state law. (Petition 23-5; hereinafter "Pet.").[2]

2. *No Congressional Intent to Displace State Law.* Essentially, respondents' "national policy" argument boils down to two admitted facts plus an unwarranted inference from those facts. The two facts are that under the holdings of this Court baseball is not covered by federal antitrust laws and that Congress thereafter considered the question, but failed either to approve or disapprove that judicial exclusion from coverage. Those facts we do not dispute.[3] But they do not support the inference that, by its subsequent silence, Congress intended baseball to be exempt from state antitrust law.[4] If Congress' inaction means anything here, it is far more likely to mean that

---

[2]For a recent discussion demonstrating that Congressional silence has no significance under the Commerce Clause, see I Pollak, "The Constitution and the Supreme Court," pp. 265-74.

Even where there is an act of Congress, Congressional silence is rarely a relevant aid in construing it. See, e.g., **F. T. C. v. Dean Foods Co.**, 384 U. S. 597 (1966).

[3]However, see Pet. fn. 17.

[4]When Congress intends an exemption from federal law to operate as an exemption from state law as well, it knows how to say so. See 49 U. S. C. 5 (11) relating to I. C. C. approved mergers and other transactions and providing that "any carriers . . . participating in a transaction approved . . . shall be and they are relieved from the operation of the [federal] antitrust laws and of all other restraints, limitations, and prohibitions of law, Federal, State, or municipal . . . ."

it has adopted the uniformly held view that baseball is subject to state antitrust laws. (Pet. 25-32).

Respondents are notably silent about their prior representations to this Court that state law applied. (See Pet. 26-7, 29). However, they press three other contentions about Congress' intent. All three are vulnerable to short answer.

First, respondents point out that this Court in *Toolson*, 346 U. S. 356 (1953), refused to overrule *Federal Baseball*, 259 U. S. 200 (1922), because of the adverse effects which it was feared retroactive application of the federal antitrust laws might have upon organized baseball. They argue that application of state law would have similar effects upon the business, and that, therefore, state law is also barred. (Opp. 10-11, 26). However, baseball does not enjoy its preferred position under federal law because there is any national interest in preserving its "structure," but solely because *Toolson* determined that baseball's reliance on *Federal Baseball* should be preserved as a matter of *stare decisis*. The rationale of *Federal Baseball*, as preserved by *Toolson*, was that Congress did not deem such local events as professional baseball games to be of sufficient national importance to be covered by the Sherman Act.[5] Further-

[5]Respondents also attempt to misrepresent petitioner's position as "bottomed . . . on the claim that baseball is local and intrastate in character and is not a part of interstate commerce." (Opp. fn. 35). Petitioner, of course, agrees that baseball is interstate commerce within the meaning of the Commerce Clause. The Court in **Federal Baseball** and **Toolson** held, however, that it was not interstate commerce within the meaning of the Sherman Act, and this, of course, is highly relevant in assessing whether Congress, if it is deemed to have approved these decisions, could have intended to displace state law.

more, respondents, having previously represented to this Court that state law would continue to apply (Pet. 26-7), do not and could not claim (see Opp. 26) that they have relied upon an exemption from state law. Under these circumstances, there is nothing in the rationale of *Toolson* which requires displacement of state law.

Second, respondents argue that the New York Supreme Court in *American League Baseball Club v. Pasquel*,[6] in effect overruled the earlier *Chase* decision[7] and declared that the New York antitrust laws do not apply to baseball. (Opp. 25-26). It did not. Moreover, the significance of the New York cases is not that they found violations of state antitrust law, but that they recognized that state law could constitutionally be applied. In this respect, *Pasquel* confirms *Chase*.[8] In *Pasquel* the New York Yankees sought to enjoin the Mexican League from inducing Yankee players to breach their employment contracts. Defendants resisted on the ground that the players' contracts, including the reserve clause, were illegal. The court recognized (188 Misc., at 103, 66 N. Y. S. 2d, at 744), that the New York common law outlawing unreasonable restraints of trade could be applied to baseball. While the court at first incorrectly characterized the alternative antitrust holding of

---

[6]187 Misc. 230, 63 N. Y. S. 2d 537, 188 Misc. 102, 66 N. Y. S. 2d 743 (Sup. Ct. 1946).

[7]American League Baseball Club v. Chase, 86 Misc. 441, 149 N. Y. S. 6 (Sup. Ct. 1914).

[8]Respondents argue (Opp. 25) that "Chase did not hold that baseball was subject to the New York antitrust law and did not mention that law." Chase did not rely upon any New York statutory provisions, but, equally significantly, held that organized baseball was in violation of the state common law governing monopolies and unreasonable restraints of trade.

Chase as dictum (187 Misc., at 234, 63 N. Y. S. 2d, at 540), and later intimated that the contracts themselves were not illegal, it ultimately refused to strike the defense that organized baseball was engaged in a conspiracy to restrain trade, illegal under the New York antitrust laws. (188 Misc., at 106, 66 N. Y. S. 2d, at 747-8). After *Pasquel, Blake v. Frick,*[9] relying on *Chase,* again suggested that organized baseball had violated the New York antitrust law.

Thus, the New York cases, *Chase, Pasquel,* and *Blake v. Frick* (which respondents wholly ignore) support the uniformly held view that organized baseball was and is subject to state antitrust laws.

Third, respondents point to a statement in the Celler Report (H. R. Rep. No. 2002, 82d Cong., 2d Sess. (1952), p. 7) that organized baseball is "pragmatically . . . not amenable to effective State regulation." (Opp. 6, 15, 26). But that statement does not bear on a state's constitutional power to prevent violation of its antitrust laws by organized baseball. Statements in Congressional committee reports respecting unenacted legislation are not authoritative expressions of national policy. Even if they were, the fact that federal antitrust law might be more "effective" than state law does not mean that federal nonregulation deprives a state of power to deal, perhaps less effectively, with violations of state antitrust law. Nor is this what the Celler Report meant. To the contrary, it recognized the authority of the *Chase* decision and, there-

---

[9] 20 Misc. 2d 520, 191 N. Y. S. 2d 177 (Sup. Ct. 1959), appeal dismissed, 9 App. Div. 2d 893, 199 N. Y. S. 2d 396 (1959).

fore, of state antitrust jurisdiction over organized baseball. (Pet. 28).[10]

3. *No Potential Conflict.* Respondents defend the holding below that the Commerce Clause bars Wisconsin's action and that uniform national regulation is required because of potential conflict in state regulation. (Opp. 20-21). They attempt to resolve the conflict between the decision below and the decisions of this Court cited in the Petition (p. 36) on the ground that those cases did not "involve a possibility of conflict threatening a subject matter requiring uniform national regulation."[11] (Opp. 20). Respondents are correct; those cases did not hold that uniform national regulation was required. But, correspondingly, they plainly held that potential conflict did not create a requirement of uniform national regulation or oust state

---

[10]Respondents (Opp. 26) state that the Celler Report treated "Chase only in its discussion of contract enforcement which it distinguished from the antitrust question . . . ." If respondents mean to imply that the Celler Report did not discuss the antitrust holding of Chase, they are plainly wrong. The Report (p. 130) stated:

> "Another ground sometimes urged to deny specific enforcement of baseball contracts containing the reserve clause is that they are void and unenforceable . . . because they are unreasonable restraints of trade at common law . . . . Only one court has faced this issue . . . . In the Chase case, supra, the court stated that . . .
>
> > " 'Organized baseball' * * * is in contravention of the common law in that it invades the right of labor as a property right; and in that it is a combination to restrain and control the exercise of a profession or calling."

It is notable that the recent football merger act provides that the merger is exempt from federal antitrust laws only if it "increases rather than decreases the number of professional football clubs . . . ." 80 Stat. 1508, § 6 (1966).

[11]On respondents' theory, of course, uniform national regulation means uniform national non-regulation. Respondents are not even truly self-regulating with respect to franchise shifts or expansion. See Pet. fn. 36.

jurisdiction.[12] Furthermore, if the businesses involved in those cases—interstate radio broadcasting, air lines, shipping, and natural gas transportation[13]—have no constitutional right to "uniform national regulation" in the absence of actual conflict, surely baseball has none.

In any event, contrary to respondents' suggestion (Opp. 21), there is no evidence that potential conflict is likely. In particular, respondents have failed to show that the major leagues cannot expand to serve the few additional cities which could feasibly support major league teams. (See Pet. 35.) But even if more cities applied for franchises than could feasibly be incorporated into the National and American Leagues, the answer is not to restrict the number of

---

[12]Respondents (Opp. 21) rely upon **Southern Pacific Co. v. Arizona**, 325 U. S. 761 (1945); **Edwards v. California**, 314 U. S. 160 (1941); **South Covington R. Co. v. Covington**, 235 U. S. 537 (1915); and **Hall v. DeCuir**, 95 U. S. 485 (1877), for the proposition that potential conflict is relevant. Neither **Southern Pacific** (see infra) nor **Edwards** (striking down a California statute barring the transportation of indigents into the state) considered or relied on potential conflict. In **South Covington**, as in **Southern Pacific**, a requirement relating to train lengths was involved but, unlike **Southern Pacific**, actual conflict was the issue—one state required the railroad to run more cars than was permitted by the other state in which it operated. Language in the earlier case of **Hall v. DeCuir** (striking down a state anti-discrimination statute) relying upon the possibility of conflict is now evidently disapproved by this Court's recent decisions. See Pet. 36.

[13]**Head v. New Mexico Board of Examiners**, 374 U. S. 424 (1963) (radio); **Colorado Anti-Discrimination Commission v. Continental Air Lines, Inc.**, 372 U. S. 714 (1963) (airlines); **Huron Portland Cement Co. v. City of Detroit**, 362 U. S. 440 (1960) (shipping); **Panhandle Eastern Pipe Line Co. v. Public Service Commission**, 332 U. S. 507 (1947) (natural gas transportation).

Examination of the **Huron** and **Head** opinions will show, contrary to respondents' assertion (Opp. fn. 24), that while federal statutes were discussed in connection with the question of pre-emption, the Court did not rely upon them in sustaining the state regulation under the Commerce Clause.

franchises, but to increase the number of major leagues. Thus, conflict among the states—which might occur if there were more potential applicants than potential franchises—is virtually impossible.

4. *Southern Pacific Co. v. Arizona Is Not Relevant.* Although the holding of the court below rests upon potential conflict, respondents attempt to support it on other grounds, arguing that this case is governed by *Southern Pacific Co. v. Arizona*, 325 U. S. 761 (1945). But that case, like *Bibb v. Navajo Freight Lines*, 359 U. S. 520, 529 (1959), was "one of those cases—few in number—where local safety measures that [were] . . . nondiscriminatory place[d] an unconstitutional burden on interstate commerce." And, unlike such cases as *Bibb*, *Southern Pacific* was one of the truly exceptional cases in which such state regulation was found to burden interstate commerce even though there was no conflict in state laws.[14] The conclusion of invalidity

---

[14]The other cases relied upon by respondents (Opp. fns. 14 and 15) have no conceivable relevance here. **Morgan v. Virginia**, 328 U. S. 373 (1946), like **Bibb**, was a case in which there was an actual conflict in state segregation regulations respecting interstate carriers. **Graves v. New York ex rel. O'Keefe**, 306 U. S. 466 (1939), did not even involve the Commerce Clause, and held that the salaries of federal officials were not constitutionally immune from non-discriminatory state taxation. **The Minnesota Rate Cases**, 230 U. S. 352 (1913), determined that states could regulate intrastate railroad rates. **Welton v. Missouri**, 91 U. S. 275 (1875), invalidated a discriminatory license tax upon peddlers of out-of-state goods. **Leisy v. Hardin**, 135 U. S. 100 (1890), struck down a state law prohibiting the sale of intoxicating beverages in reliance upon the now discredited original package doctrine.

In **Missouri ex rel. Barrett v. Kansas Natural Gas Co.**, 265 U. S. 298 (1924), the Court held that while a state can regulate the rates of distributing companies in selling to local consumers, states cannot regulate the rates of the earlier sale from the natural gas pipeline company to the distributor. **Edwards v. California** (a discrimination case) and **Hall v. DeCuir** are discussed in footnote 12, **supra.**

rested upon the presence of a strong federal concern, the absence of legitimate state interest, and a showing of actual and severe disruption of the free flow of commerce. None of those factors is present here.

First (Pet. 24), *Southern Pacific* rested in large part upon the "National Transportation Policy" of the Interstate Commerce Act (54 Stat. 899 (1940)) which expressed a vital national interest in an efficient national rail transportation system. Here, there is no such act of Congress. And organized baseball, unlike interstate carriers, is not a "field of paramount federal concern." *Florida Lime & Avocado Growers, Inc. v. Paul*, 373 U. S. 132, 142 (1963). As we have shown, the Congressional policy, if any, has been to adopt the holding that baseball is a "state affair."

Second, in *Southern Pacific*, the Supreme Court found (325 U. S., at 775-79) that the advantage of the Arizona train limit law as a safety measure was dubious. On the other hand, both this Court and federal agencies charged with enforcing the federal antitrust laws have recognized that state antitrust enforcement is of great value in supplementing federal antitrust policy and in removing barriers to the free flow of interstate commerce. (See Pet. 17-20, 33).

Third, in *Southern Pacific* the railroad made an extensive factual showing, embodied in findings of the state trial court, as to the expense and delay which the Arizona law occasioned. (325 U. S., at 771-75). Such a showing is indispensable to establish that state legislation burdens interstate commerce. Respondents' Opposition fails to state how expansion would in any way impede their interstate business operations. Respondents do object that expansion would require them "to travel regularly to Milwaukee" and

would result in the transfer of some existing player contracts, "thereby depriving the interstate commerce operating in the present eight National League states of those property rights. . . ." (Opp. 19).[15] But this simply does not show a burden on commerce. Respondents' claim of burden is no more substantial than would have been a claim that the Arizona train limit law in *Southern Pacific* required the railroad to run shorter trains than it wanted to. Such a claim, without more, would hardly have called the constitutionality of the Arizona law into question.[16]

5. *No Discrimination.* Although the court below did not find that application of Wisconsin's antitrust law would discriminate against interstate commerce, respondents attempt to support the result on that ground. However, the Wisconsin antitrust law is applied with an even hand to both interstate and intrastate businesses. The fact that this particular case involves an interstate business hardly shows discrimination. Respondents rely on cases holding that a state cannot protect its natural resources for its own citizens at the expense of other states or protect local businesses from out-of-state competition. (Opp. 17-18). However, those cases are plainly inapplicable. The award of a franchise to one of the Milwaukee applicants would not prevent respondents from playing baseball in other states;

---

[15]Of course, respondents would be compensated for the contracts transferred. Although respondents erroneously claim that operation of an eleven-team league is not feasible (see Pet. 8), they do not dispute that it is feasible to operate a twelve-team league. (See Opp. 19).

[16]Furthermore, organized baseball itself expanded in 1960 and 1961, and transferred player contracts to the new franchises. Respondents have for 13 years regularly traveled to Milwaukee to play baseball there. Obviously, further expansion to continue baseball in Milwaukee would not burden interstate commerce.

Wisconsin's antitrust law protects, rather than impairs, competition.

6. *This Case Is Important.* This case presents significant constitutional questions concerning the power of states to enforce their antitrust laws. Respondents have failed to show that these questions are unimportant or that they were correctly decided by the Wisconsin Supreme Court.

Accordingly, the Petition for Certiorari should be granted.

Respectfully submitted,

BRONSON C. LA FOLLETTE
Attorney General for the
State of Wisconsin
Counsel for Petitioner

ARLEN CHRISTENSON
Deputy Attorney General

GEORGE F. SIEKER
Assistant Attorney General

ROBERT P. RUSSELL
Corporation Counsel
Milwaukee County,

WILLARD S. STAFFORD
Special Counsel for the
State of Wisconsin

STEVEN E. KEANE
JOHN P. EPPEL
Of Counsel for Milwaukee County
Special Assistant
Corporation Counsel

LLOYD N. CUTLER
LOUIS F. OBERDORFER
MAX O. TRUITT, JR.
TIMOTHY B. DYK
Special Counsel for the
State of Wisconsin

SEASON ATTENDANCE (with FINAL LEAGUE STANDING)

National League

YEAR	BRAVES	CUBS	REDS	CARDINALS	DODGERS	PHILLIES	PIRATES	GIANTS
1953	1,826,397 (2)	763,658 (7)	548,086 (6)	880,242 (4)	1,163,419 (1)	853,644 (3)	572,757 (8)	811,518 (5)
1954	2,131,188 (3)	748,183 (7)	704,167 (5)	1,039,698 (6)	1,020,531 (2)	738,991 (4)	475,494 (8)	1,155,067 (1)
1955	2,005,836 (2)	875,800 (6)	693,662 (5)	849,130 (7)	1,033,589 (1)	922,886 (4)	469,397 (8)	824,112 (3)
1956	2,046,331 (2)	720,118 (8)	1,125,928 (3)	1,029,773 (4)	1,213,562 (1)	934,798 (5)	949,878 (7)	629,179 (6)
1957	2,215,404 (1)	670,629 (8)	1,070,850 (4)	1,183,575 (2)	1,028,258 (3)	1,146,230 (5)	850,732 (7)	653,923 (6)
1958	1,971,101 (1)	979,904 (5)	788,582 (4)	1,063,730 (6)	1,845,556 (7)	931,110 (8)	1,311,988 (2)	1,272,625 (3)
1959	1,749,712 (2)	858,255 (5)	801,298 (6)	929,953 (7)	2,071,045 (1)	802,815 (8)	1,359,917 (4)	1,422,130 (3)
1960	1,497,799 (2)	809,770 (7)	663,486 (6)	1,096,632 (3)	2,253,887 (4)	862,205 (8)	1,705,828 (1)	1,795,356 (5)
1961	1,101,441 (4)	673,057 (7)	1,123,240 (1)	855,615 (5)	1,813,465 (2)	584,039 (8)	1,199,128 (6)	1,391,221 (3)
1962	766,921 (5)	609,802 (9)	982,095 (3)	953,895 (6)	2,755,184 (2)	762,034 (7)	1,090,648 (4)	1,592,594 (1)
1963	773,018 (6)	979,551 (7)	858,805 (5)	1,170,546 (2)	2,538,602 (1)	907,141 (4)	783,648 (8)	1,571,306 (3)
1964	910,911 (5)	751,647 (8)	862,466 (2)	1,143,294 (1)	2,228,754 (6)	1,425,891 (2)	759,496 (6)	1,504,364 (4)
1965	555,584 (5)	641,361 (8)	1,047,824 (4)	1,241,195 (7)	2,553,577 (1)	1,166,376 (6)	909,279 (3)	1,546,075 (2)
Annual Average	1,503,973	775,518	866,961	1,033,637	1,809,187	926,012	956,784	1,243,805

American League

YEAR	ORIOLES	RED SOX	WHITE SOX	INDIANS	TIGERS	ATHLETICS	YANKEES	SENATORS
1953	297,238 (8)	1,026,133 (4)	1,191,353 (3)	1,069,176 (2)	884,658 (6)	362,113 (7)	1,537,811 (1)	595,594 (5)
1954	1,060,910 (7)	931,127 (4)	1,231,629 (3)	1,335,472 (1)	1,079,847 (5)	304,666 (8)	1,475,171 (2)	503,542 (6)
1955	852,039 (7)	1,203,200 (4)	1,175,684 (3)	1,221,780 (2)	1,181,838 (5)	1,393,054 (6)	1,490,138 (1)	425,238 (8)
1956	901,201 (6)	1,137,158 (4)	1,000,090 (3)	865,467 (2)	1,051,182 (5)	1,015,154 (8)	1,491,784 (1)	431,647 (7)
1957	1,029,581 (5)	1,181,087 (3)	1,135,668 (2)	722,256 (6)	1,272,346 (4)	901,067 (7)	1,497,134 (1)	457,079 (8)
1958	829,991 (6)	1,077,047 (3)	797,451 (2)	663,805 (4)	1,098,924 (5)	925,090 (7)	1,428,438 (1)	457,288 (8)
1959	891,926 (6)	984,102 (5)	1,423,144 (1)	1,497,976 (2)	1,221,221 (4)	963,683 (7)	1,552,030 (3)	615,372 (8)
1960	1,187,849 (2)	1,129,866 (7)	1,644,460 (3)	950,985 (4)	1,167,669 (6)	774,944 (8)	1,627,349 (1)	743,404 (5)
1961	950,818 (3)	850,919 (6)	1,151,999 (4)	735,547 (5)	1,606,500 (2)	683,549 (9)	1,748,836 (1)	597,497 (8)
1962	790,254 (7)	733,080 (8)	1,131,562 (5)	716,076 (6)	1,207,881 (4)	635,675 (9)	1,493,574 (1)	729,775 (10)
1963	774,343 (4)	942,642 (7)	1,158,848 (2)	562,507 (5)	821,952 (6)	762,364 (8)	1,308,920 (1)	535,604 (10)
1964	1,116,215 (3)	883,276 (8)	1,250,053 (2)	653,293 (6)	816,141 (4)	642,478 (10)	1,305,638 (1)	600,106 (9)
1965	781,649 (3)	652,201 (9)	1,130,519 (2)	934,786 (5)	1,029,640 (4)	528,264 (10)	1,213,552 (6)	560,083 (8)
Annual Average	881,847	979,372	1,186,343	917,633	1,110,754	760,931	1,474,652	559,248

GIANTS	ASTROS - (formerly Colt .45s)	METS
811,518 (5)		
1,155,067 (1)		
824,112 (3)		
629,179 (6)		
653,923 (6)		
1,272,625 (3)		
1,422,130 (3)		
1,795,356 (5)		
1,391,221 (3)		
1,592,594 (1)	924,456 (10)	922,530 (8)
1,571,306 (3)	719,502 (10)	1,080,108 (9)
1,504,364 (4)	725,773 (10)	1,732,597 (9)
1,546,075 (2)	2,151,473 (10)	1,768,389 (9)
1,243,805	1,130,301	1,375,906

SENATORS	TWINS	ANGELS
595,594 (5)		
503,542 (6)		
425,238 (8)		
431,647 (7)		
457,079 (8)		
457,288 (8)		
615,372 (8)		
743,404 (5)		
597,497 (8)	1,259,160 (7)	597,348 (8)
729,775 (10)	1,433,116 (2)	1,144,063 (3)
535,604 (10)	1,406,652 (3)	821,015 (9)
600,106 (9)	1,207,514 (6)	760,439 (4)
560,083 (8)	1,463,268 (1)	566,727 (7)
559,248	1,353,942	777,918